

REMARKS

This Amendment and Response is submitted in response to the Office Action mailed 19 DECEMBER 2003. Withdrawal of the rejection and reconsideration with an eye toward allowance is respectfully requested.

Claim Status

Claims 1, 4-32, and 34-42 are pending after entry of the present amendment. Claims 1-11, 22, 23, 25-31, and 37 stand rejected, the Examiner has objected to claims 12-22, 24 and 32-36, and claims 38-41 have been withdrawn from consideration. Claims 1, 4, 5, 8, 22-24, 27-31, and 37 are amended herein for technical clarity. Claims 12, 14, 15, 17-19, 32, 34, and 35 are amended to place the claims in independent form. Claims 2, 3, 33 are cancelled herein without prejudice or disclaimer towards presenting them in a related application. Claim 42 is added. A complete listing of all claims that are, or were in the application, along with an appropriate status identifier, is provided above in the section entitled "Amendments to the Claims". Markings are provided on claims amended in the present amendment.

Support for the above claim amendments can be found throughout the originally filed specification, drawings, and claims.

Drawings

The drawings were objected to under 37 CFR §1.83(a). The Examiner suggests that the anti-theft latch comprising a spring mentioned in claims 14, 46, and 34 must be shown or the feature canceled from the claims. Applicant has enclosed proposed new Figure 3A, and amended the Brief Description of the Figures above to include a brief description of Figure 3A. The enclosed proposed new Figure 3A contains changes relative to Figure 3 shown in red ink for the convenience of the Examiner. Applicant trusts that new Figure 3A frees the drawings from objection. No new matter is entered as new Figure 3A is supported at least by Figure 3 as filed and the specification at pages 6-7.

Claim Objections

Claim 22 was objected to because "shock" was misspelled as "chock". Applicant has amended the claim, above, to correct the misspelling and trusts the claim is free from objection.

Claim 33 was objected to as being of improper dependent form. Without admitting the propriety of the rejection, Applicant has cancelled claim 33.

Claim Rejections – 35 U.S.C. §112

Claims 1-10, 22, 23, and 27-37 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended the claims such that the phrase "support lens" no longer appears, and trusts that the rejection under 35 U.S.C. §112 will be withdrawn.

Claim Rejections – 35 U.S.C. §103

Claims 1-5, and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yamagata, U.S. Patent Number 6,088,024 and further in view of Doering (U.S. Patent Number 4,812,830). As a preliminary matter, and without admitting the propriety of the rejection, Applicant has cancelled claims 2-3. Applicant respectfully submits that the references, taken alone or in combination fail to disclose or suggest all limitations of Applicant's claim 1 including "a seal coupling said shield to said support and said cable to enhance at least one of water-proofing and theft-vulnerability of said apparatus".

Yamagata is directed toward a touch panel and method for detecting a pressed position on a touch panel (see title). The Examiner concedes that Yamagata fails to disclose a shield or means for securing a shield as recited by Applicant (see Office Action, page 5).

Doering is directed toward a touch panel display assembly. Doering discloses an "O" ring or other suitable gasket 44 that mates with the inner surface of housing 12 to provide a protective seal for the display 26 and electronic circuit boards 28 (see Doering, col. 2, lines 45-59 and FIG. 2). Applicant respectfully submits that Doering teaches the placement of an O-ring between a flange and a housing. Doering does not disclose or suggest a seal coupling a shield to a support having a printed circuit board assembly and touchpad disposed on the support. Doering's O-ring comes in contact only with a flange and the housing (see FIG. 2). Doering further does not disclose or suggest a seal in coupling a shield to a cable, as recited in Applicant's claim 1.

Accordingly, Applicant submits that the 35 U.S.C. §103(a) rejection of claim 1 is improper. Claims 4-5 and 8 depend from and include all limitations of Applicant's claim 1. Accordingly, Applicant submits that the 35 U.S.C. §103(a) rejection of claims 1, 4-5 and 8 should be withdrawn.

With further regard to claims 4, 5, and 8, Applicant respectfully submits that the cited references further fail to disclose or suggest a seal including "at least one chamber seal to seal and define a security chamber space between portions of said shield and said PCBA". As discussed above, the Examiner concedes that Yamagata fails to disclose this feature. Applicant submits that Doering is limited to disclosure of an O-ring positioned between a flange and a housing. Doering does not disclose that the seal defines a security chamber space. Accordingly, Applicant further submits that the 35 U.S.C. §103(a) rejection of claim 4 is improper. Claim 5 depends from and includes all limitations of Applicant's claims 4, 5, and 8.

Claims 6, 7, 9, and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yamagata and Doering and further in view of Xu (U.S. Patent Number 6,089,646). Claims 6, 7, 9, and 10 depend from and include all limitations of Applicant's claim 1. As discussed above, Applicant submits that the cited references fail to disclose all limitations of claim 1 including "a seal coupling said shield to said support and said cable to enhance at least one of water-proofing and theft-vulnerability of said apparatus". Applicant further submits that Xu fails to disclose this feature.

Xu is directed toward a vehicular window assembly (see Abstract). As a preliminary matter, Applicant notes that Xu does not disclose touchpads or printed circuit board assemblies. Xu discloses a gasket adapted to engage a panel opening or an exterior of a vehicle (see col. 9, lines 30-33). Applicant respectfully submits that Xu does not disclose a seal coupling a shield to a support having a printed circuit board assembly and touchpad disposed on the support. Xu further does not disclose coupling the seal to a cable. Accordingly, Applicant submits that claims 6, 7, 9, and 10 are patentable over the cited references at least because they depend from and include all limitations of Applicant's claim 1. Accordingly, the 35 U.S.C. §103(a) rejection of claims 6, 7, 9, and 10 should be withdrawn.

Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over Yamagata and Doering and further in view of Official Notice. The Examiner took Official Notice that a latch is a well known means for securing briefcases, cabinets, and computer components. Applicant respectfully traverses the Examiner's rejection over Official Notice that a latch is a well known means for securing briefcases, cabinets, and computer components. Should the rejection be maintained, Applicant respectfully requests documentary evidence to support the rejection, see MPEP §2144.03.

Applicant submits that claim 11 is patentable over the cited art as well as the Examiner's Official Notice at least because claim 11 depends from and includes all limitations of Applicant's claim 1, discussed above.

Claim 22 was rejected under 35 U.S.C. §103(a) as being unpatentable over Yamagata and Doering and further in view of Hasegawa (U.S. Patent Number 6,608,664). Claim 22 depends from and includes all limitations of Applicant's independent claim 1. As discussed above, Applicant submits that Yamagata and Doering fail to disclose or suggest all limitations of Applicant's claim 1 including "a seal coupling said shield to said support and said cable to enhance at least one of water-proofing and theft-vulnerability of said apparatus". Applicant further submits that Hasegawa fails to disclose this feature.

Hasegawa is directed to a liquid crystal display having a housing (see Abstract). Hasegawa states that a Japanese patent application disclosed a structure having elastic members along the edge of front and back faces of a liquid crystal panel (see col. 1, lines 30-41 and FIG. 1). Hasegawa does not disclose or suggest "a seal coupling said shield to said support and said cable to enhance at least one of water-proofing and theft-vulnerability of said apparatus". Accordingly Applicant submits that the 35 U.S.C. §103(a) rejection of claim 22 should be withdrawn.

Claims 27-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Canova (U.S. Patent Application Publication 2002/0063695) in further view of Yamagata and Doering. Applicant respectfully submits that the cited references fail to disclose or suggest all limitations of Applicant's independent claim 27 including "coupling a seal between said shield and said lens, the seal in contact with said cable, to enhance at least one of water-proofing and theft-vulnerability of the assembly".

Yamagata and Doering are discussed above.

Canova is directed toward a flip-style user interface (see Abstract), and does not disclose or suggest a seal between a shield and a lens. Claims 28-31 depend from and include all limitations of Applicant's claim 27. Accordingly, Applicant submits that the 35 U.S.C. §103(a) rejection of claims 27-31 should be withdrawn.

Claim 37 was rejected under 35 U.S.C. §103(a) as being unpatentable over Canova, Yamagata, and Doering in further view of Hasegawa.

The references have all been discussed above, and Applicant respectfully submits that all cited references fail to disclose or suggest all limitations of Applicant's independent claim 27, from which claim 37 depends. Accordingly, Applicant submits that the 35 U.S.C. §103(a) rejection of claim 37 should be withdrawn.

Allowable Subject Matter


Applicant notes with appreciation the Examiner's indication of allowable subject matter in claims 12-21, 24, and 32-36. Applicant has amended the claims to place them in allowable form, as indicated by the Examiner.

Serial No.: 10/044,095
Filing Date: 11 JANUARY 2002

CONCLUSION

Applicants submit the claims are in condition for allowance, and notification of such is respectfully requested. If after review, the Examiner feels there are further unresolved issues, the Examiner is invited to call the undersigned at (415) 781-1989.

Respectfully submitted,
DORSEY & WHITNEY LLP



By _____
Jennifer M. Lane, Patent Agent, Reg. No. 51,916
For R. Michael ANANIAN, Reg. No. 35,050
Filed under 37 C.F.R. §1.34(a)

Customer No. 32940
DORSEY & WHITNEY LLP
Four Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
Tel.: (415) 781-1989
Fax: (415) 398-3249
SF-1134800